

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

FILED IN OPEN COURT *JR*  
ON 11/9/2012  
Julie A. Richards, Clerk  
US District Court  
Eastern District of NC

United States of America

v.

Brandon Shayne Melvin

Case No: 5:07-CR-00157-BO-001

Date of Original Judgment: May 1, 2008

USM No: 50810-056

Date of Previous Amended Judgment:

Defendant's Attorney Thomas P. McNamara

(Use Date of Last Amended Judgment if Applicable)

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 108 months is reduced to ~~106~~ 96

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment(s) dated May 1, 2008, shall remain in effect. . IT IS SO ORDERED

Order Date:

11.9.12

*Terrence Boyle*  
Judge's signature

Effective Date:

(if different from order date)

Terrence W. Boyle, U.S. District Judge

Printed name and title

EDNC Rev. 11/8/2011